

TWIN FALLS COUNTY

Recorded for:

WILLIAM R HOLLIFIELD

8:16:37 AM 05-11-2012

2012-008750

No. Pages: 3 Fee: \$ 16.00

KRISTINA GLASCOCK

County Clerk

Deputy: BHUNTER

ORDINANCE NO. 591**TWIN FALLS COUNTY**

Recorded for:

WILLIAM R. HOLLIFIELD

2:26:11 PM 05-09-2012

2012-008611

No. Pages: 2 Fee: \$ 13.00

KRISTINA GLASCOCK

County Clerk

Deputy: SHARON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIMBERLY, IDAHO, EXCLUDING CERTAIN REAL PROPERTY, CURRENTLY SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF TOWNSHIP 10 SOUTH, RANGE 18 EAST, BOISE MERIDIAN, SECTION 17, IN THE CITY OF KIMBERLY BACK INTO THE UNINCORPORATED AREA OF TWIN FALLS COUNTY, IDAHO.

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WHEREAS, the City of Kimberly, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to exclude property from the boundaries of the City in the manner proved by Section §50-225, Idaho Code; and;

WHEREAS, Outdoor Products LLC, owner of the parcel of real property situated in the City of Kimberly and particularly described in section 2 of this ordinance has requested that said real property be excluded from the City of Kimberly; and

WHEREAS, the Planning and Zoning Commission of the City of Kimberly held a public hearing, and recommended the request of the land owner be granted;

WHEREAS, the Twin Falls County zoning classification of this parcel was Commercial Gateway under Title 17 of the Kimberly Municipal Code and such designation appears appropriate and should be applied.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KIMBERLY, IDAHO:

Section 1: The Kimberly City Council hereby finds and declares that the real property describe below is currently described within the boundaries of the City; that city services are not available to the real property; and that the owner of said property has requested that said property be excluded from the City.

Section 2: The real property, all situated currently in the City of Kimberly, Twin Falls County, Idaho, located in the Southeast Quarter of the Southeast Quarter of Township 10 South, Range 18 East, Boise Meridian, Section 17 and more particularly described in Exhibit "A" – Legal Description, attached hereto and incorporated herein by reference as if fully set forth below, is excluded from the incorporated territorial limits of the City of Kimberly, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall no longer be subject to any ordinances, resolutions, police regulations, taxation, and other powers except those specifically delegated to the City of Kimberly, by the County of Twin Falls in the City's Area of Impact.

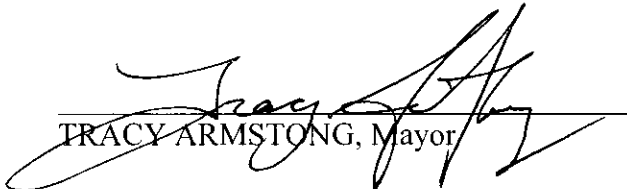
Section 4: The zoning land use classification of the land described in Section 2 above shall remain Commercial Gateway as it previous existed. The comprehensive plan and zoning map of the City are hereby amended to exclude the real property described in Section 2 above as property within the City's boundaries but may still include them in the land use classifications for future planning purposes.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of the passage and approval of this ordinance, as certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Twin Falls County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho as required by Section §50-223, Idaho Code, and to comply with the provision of Section §63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Section §50-901A, Idaho Code, may be published.

Enacted by the City Council as an ordinance of the City of Kimberly, Idaho, on the 10th day of April, 2012.

Approved by the Mayor on the 10th day of April, 2012.


TRACY ARMSTONG, Mayor

ATTEST:


JENNIFER A. ROWE, City Clerk



No. T071171

EXHIBIT "A"

A Tract of land located in the Southeast Quarter of the Southeast Quarter of Section 17, Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho more particularly described as follows;

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
THENCE North 00°04'38" East a distance of 49.93 feet;
THENCE North 89°17'52" West a distance of 62.09 feet to a right of way monument on the northerly boundary of Kimberly Road;
THENCE North 89°17'52" West a distance of 332.09 feet along the northerly boundary of said Kimberly Road to the TRUE POINT OF BEGINNING;
THENCE North 89°17'52" West along said northerly boundary a distance of 373.29 feet;
THENCE North 00°10'09" East a distance of 370.06 feet;
THENCE North 89°19'18" West a distance of 90.00 feet;
THENCE North 00°40'54" East a distance of 242.41 feet;
THENCE South 89°19'06" East a distance of 360.95 feet;
THENCE South 00°04'38" West a distance of 373.27 feet;
THENCE South 89°20'30" East a distance of 34.98 feet;
THENCE South 04°36'05" West a distance of 69.08 feet;
THENCE South 06°26'25" East a distance of 50.87 feet;
THENCE South 18°56'13" East a distance of 48.32 feet;
THENCE South 32°37'48" East a distance of 89.07 feet to the TRUE POINT OF BEGINNING.

